



Focus

Washington's Water Resource

Water Right Requirements For Filling Tank Trucks

Overview

In Washington State, all diversions of surface water require state water right authorization which is given through water rights. Surface water is commonly diverted or pumped from streams, rivers, lakes, or springs to fill tank trucks. Water rights for use of this surface water may be in one of three forms: a water right permit, a water right certificate, or a valid water claim.

When diverting surface water to fill tank trucks, there are some exceptions for meeting Washington's water right requirements:

- Firefighters are allowed emergency water uses for pumping and filling tank trucks in actual fire fighting situations without state permit authorization; and
- Federal Reserved Water Rights under the Winter Doctrine authorize limited uses of water on certain federal lands without state water right authorization. For instance, the United States Forest Services holds a federal reserved right to fill tank trucks for road watering and other uses associated with its logging and forest management activities.

Generally, all public works departments, private construction contractors, logging companies, and other entities and individuals must obtain a water right permit from the Department of Ecology prior to diverting or pumping any surface water. State water right permits may also be required prior to pumping ground water from wells.

Water Tank Truck Filling

Intermittent pumping or tank truck filling can cause substantial impairment to senior water users and greatly diminish instream flows, particularly in small creeks or springs. This illegal, opportunistic pumping is inconsiderate of downstream water users whose pumps may be dewatered and damaged, and such pumping can negatively impact fish and wildlife. Pumping at "pump chance sites" can be managed if the pumpers and Ecology work together.

Pumping of ground water from wells to supply water tank trucks may also require authorization from Ecology. This depends upon the amount of water needed on a daily basis and other factors. Pumpers must check well ahead of time with Ecology's regional office staff to identify any authorizations required for their specific projects.

Companies and agencies that routinely need to pump from "pump chance sites" must obtain authorization to pump from specific diversion sites or well sites prior to the upcoming water use season. These authorizations could be modified seasonally to accommodate changing job sites or needs.

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Washington's Surface Water Code

The State Surface Water Code defines water right permit requirements and procedures, describes crimes against the water code, and provides for both criminal and civil enforcement of the water code. Enforcement actions may include civil penalties.

Compliance with state water laws is not optional. Increased enforcement by Ecology against unauthorized water users is a certainty and is being demanded by the public. Water right questions must be addressed, even if it means changing old ways of doing business. The results are better water resource management and tangible benefits to all the citizens of Washington State.

For More Information

All prospective water users should check with the Department of Ecology to ensure that they comply with the state water resources laws. Staff in Ecology's four regional offices (Yakima, Spokane, Bellevue, and Olympia) can provide advice and assistance to prospective water users. Please contact the regional offices of the Department of Ecology for water right permit application forms. We need your cooperation to help manage Washington's public water resources.

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